

 CONTINUED PROSECUTION APPLICATION (CPA) REQUEST TRANSMITTAL (Small Entity) Submit an original, and a duplicate for fee processing. <small>Only for Continuation or Divisional Applications Under 37 CFR 1.53(d)</small>		Docket No. 116310.0030
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First Named Inventor	Examiner	Group/Art Unit
CARVER, Edward	A. Soderquist	1743

Address to:

Assistant Commissioner for Patents
 Box CPA
 Washington, D.C. 20231

This is a request for filing a continuation or divisional application under 37 CFR 1.53(d), (continued prosecution application (CPA)) of prior application number 09/039,789 filed on March 16, 1998

and entitled:

APPARATUS FOR MAKING A PLURALITY OF REAGENT MIXTURES AND ANALYZING PARTICLE DISTRIBUTIONS OF THE REAGENT MIXTURES

1. Enter the unentered amendment previously filed on _____ under 37 CFR 1.116 in the prior nonprovisional application.
2. A preliminary amendment is enclosed.
3. This application is being filed by fewer than all the inventors named in the prior application, 37 CFR 1.53(d)(4).
 - a. **DELETE** the following inventor(s) named in the prior nonprovisional application:
 - b. The inventor(s) to be deleted are set forth on a separate sheet attached hereto.
4. A new power of attorney or authorization of agent is enclosed.
5. Small Entity Status:
 - a. A small entity statement is enclosed.
 - b. A small entity statement was filed in the prior nonprovisional application and such status is still proper and desired.
6. The fee for this application is calculated as follows:

CLAIMS AS FILED

For	#Filed	#Allowed	#Extra	Rate	Fee
Total Claims	16	- 20 =	0	x \$9.00	\$0.00
Indep. Claims	4	- 3 =	1	x \$42.00	\$42.00
Multiple Dependent Claims (check if applicable)	<input type="checkbox"/>				\$0.00
12/06/2002 AWONDAF1 00000062 09039789				BASIC FEE	\$370.00
02 FC:2006	370.00 0P				
03 FC:2201	42.00 0P			TOTAL FILING FEE	\$412.00

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7. The Commissioner is hereby authorized to credit overpayments or charge the following fees to Deposit Account No. 50-1631.

- fees required under 37 C.F.R. 1.16.
- fees required under 37 C.F.R. 1.17.
- fees required under 37 C.F.R. 1.18.

8. A check in the amount of \$1,512.00 is enclosed.

9. An Information Disclosure Statement (IDS) is enclosed:

- a. PTO-1449
- b. Copies of IDS Citations

10. Also enclosed:

Petition for Revival of an Unintentionally Abandoned Application

Petition and Fee for Extension of Time under 37 CFR 1.136

Response to Office Action

Statement Establishing Common Ownership

Return Receipt Post Card

11. The prior application's correspondence address will carry over to this CPA UNLESS a new correspondence address is provided below:

Please address all written correspondence to the
address associated with United States Patent and
Trademark Office Customer Number 21832:

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NOTES

Submit an original, and a duplicate for fee processing.

FILING QUALIFICATIONS: The prior application must be a nonprovisional application that is either: (1) complete as defined by 37 C.F.R. 1.51(b), or (2) the national stage of an international application in compliance with 35 U.S.C. 371. A Notice will be placed on a patent issuing from a CPA, except for reissues and designs, to the effect that the patent issued on a CPA and is subject to the twenty-year patent term provisions of 35 USC 154(a)(2). Therefore, the prior application of a CPA may have been filed before, on or after June 8, 1995.

C-I-P NOT PERMITTED: A continuation-in-part application cannot be filed as a CPA under 37 C.F.R. 1.53(d), but must be filed under 37 C.F.R. 1.53(b).

EXPRESS ABANDONMENT OF PRIOR APPLICATION: The filing of this CPA is a request to expressly abandon the prior application as of the filing date of the request for a CPA. 37 C.F.R. 1.53(b) must be used to file a continuation, divisional or continuation-in-part of an application that is not to be abandoned.

ACCESS TO PRIOR APPLICATION: The filing of this CPA will be construed to include a waiver of confidentiality by the Applicant under 35 U.S.C. 122 to the extent that any member of the public who is entitled under the provisions of 37 C.F.R. 1.14 to access to, copies of, or information concerning, the prior application may be given similar access to, copies of, or similar information concerning, the other application or application in the file jacket.

35 U.S.C. 120 STATEMENT: In a CPA, no reference to the prior application is needed in the first sentence of the specification and none should be submitted. If a sentence referencing the prior application is submitted, it will not be entered. A request for a CPA is the specific reference required by 35 U.S.C. 120 and to every application assigned the application number identified in such request, 37 C.F.R. 1.78(a).

Dated:

December 4, 2002


Signature

Mark D. Giarratana

Typed or printed name

32,615

Registration Number (if applicable)

- Inventor(s)
 Assignee of complete interest
 Attorney or agent of record

cc: